

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

MICHAEL RICHARDS,

Plaintiff,

v.

JOHNSON & JOHNSON, INC.;
JOHNSON & JOHNSON CONSUMER PRODUCTS COMPANIES,

Defendants.

Civ. Action No. 05-3663
(KSH)

ORDER

KATHARINE S. HAYDEN, U.S.D.J.

THIS MATTER comes before the Court upon defendants' motion to strike the plaintiff's two experts' reports. After hearing oral argument on October 7, 2008, the Court deems it necessary to conduct a formal *Daubert* hearing before resolving the pending motion. Upon stipulation by the plaintiff that he will not rely on these expert reports in his opposition papers, the Court will first entertain defendants' motion for summary judgment to be filed pursuant to the briefing schedule set forth by Magistrate Judge Shwartz's Order of October 7, 2008 (D.E. # 76). Good cause appearing,

IT IS on this 8th day of October, 2008,

ORDERED that the defendants' motion to strike plaintiff's expert testimony is **denied without prejudice**.

/s/ Katharine S. Hayden

Katharine S. Hayden
United States District Judge